# SOUTH AMERICA

Battle and Victory for the Rebels in Entre Rios-Heav Losses of the Government Forces.

Br exes Avers, Oct. 1, 1870. The combined armi s of Sarmiento, under Gelly y Obes and Ayala, Cerating in Entre Ries, had a general engagem' at with the whole rebel force, under Lopez Jo. dan, near Rosario, resulting in a robel victory. The government forces lost heavily in ordnance, prisoners and horses. The killed and wounded on both sides numbered over 1,500 men.

The povince of Corrientes has revolted against the ne thonal government and joined the rebellion. App carances indicate that the Sarmiento government will not be able to drush the rebels. Saretento is becoming more and more appopular with

Three thousand French residents have enrolle themselves in a volunteer force to proceed home to help retrieve late disasters.

MONTEVIDEO, Oct. 1, 1870. The days of the present Colorado government, presided over by President Batlle, are numbered; as the successes of the rebei Lopez Jordan, in Entre Rios, against Sarmiento, means the triumon of the Blances, who are contending for the government.

General Caraballo, commanding the finest army south of Rio Negro, has joined the rebel forces against his government. This fact, coupled with the arrival of 1,000 men, smuggled across the river from Buenos Ayres, with six pieces of good rifled cannon and breech-loaders and small arms, gives he rebels an inevitable advantage, since the government have only in the field General G. Snarez, at the head of 2,500 men and the rabble which they may be able to scrape together for the defence of Montevideo, leaving every square inch of territory in the undisputed possession of the rebels.

The opposition press has of late been rather severe on foreigners and their representatives, specially against the American Minister, Mr. Stevens. because of the zeal evinced whenever American interests are jeopardized.

Captain Page and son are in trouble. Page, Jr., owns an iron steamer, and, as a live Yankee, he undertook to smuggle into this territory the rebel leader Reyes and his followers, in order to form the Blanco administration. Success attended the operation, but the Colorado gunboat Cogminibo got wind of the affair, and, overhauling Page in neutral waters made a prize of his craft, he himself being thrown into prison. The Argentine government will naturally demand the release of the steamer, as she carried the Argentine flag and was in Argentine waters at the time of capture.

Trouble is brewing between this government and that of Italy. Bestdes the cold-blooded murder of all Italians captured by the Blancas, it is rumored that that government is to send an ultimatum to tals country on the enforcement of old claims, which have hitherto been disregarded.

The United States steamer Wasp left this port yes-terday for Colonia on the requisition of Consul Manton, who appreheads trouble there from the rebels. The flagship Languster is in port, and the sloop-ofwar Portsmouth is still at St. Catharine with a few

cases of smallpox on board.

Mr. Harmony has lately been granted a concession for a railroad to run from Colonia to the

Ex-Minister Bustamante, commander of all the forces in this city, resigned that post and applied for a passport for Rio, which was denied him. Dr. Obes will probably be the successor of Dr. Riodriguez in the Foreign Office.

The prospect for trade is better.

Gold closed at fifteen per cent to-day. The government is to issue bonds to the amount of \$2,500,000. Stewart, Secretary of the Treasury, has resigned.

Advices from Paraguay to October 1 have been received. Asuncion has just passed through a revolution. The Convention of Deputies to frame a constitution made an attempt to overthrow the Triumvirate, presided over by Rivarela, justifying its action apon the resignation of Senor Loizaga, and appointed Seffor Machain as Provisional Prestdent, although Minister Paranhos was absent. Rivarola advised the other allied representatives to resist this revolutionary scheme, when the people came to his support and made a peaceable demonstration, and the Assembly returning to its senses reconsidered its action, and reappointed Senor Rivarola Provisional President, with Banciro as Secretary of State.

Soldiery tools of the allies made a descent upon the office of the Voz del Pueblo, the opposition sheet, and completely destroyed it. Peace was said to reign at last accounts.

## YALE COLLEGE BELLIGERENT.

The Sophomore and the New Haven Police in Collision-Footb 4 and Locust Clabs-One of the Stadents Ho. de Combat-A Bootless Appen!.

During the past week the students of Yale College have been in high fever of excitement over an event that happened on Monday last. In the afternoon of that day a number of the Sophomore class were engaged in playing football upon the public square in New Haven, which enjoyment is prohibited by the In New Haven, which enjoyment is prolibited by the city laws. While so engaged the Chief of Police appeared, on the ground with two officers and proceeded to make arrests. Only one student was secured, the others fleeing to the college building. While the officers were refurning to the station the students ralled, to the number of 200, and pursued the police across the square, hooting at them, and one or two threwing stones. Upon arriving at the police gate the officers faced the crowd and tried to clear the walk. While so doing officer Kelly clubbed a Sophomore named Arthur Watson, of Northampton, Masse, and gave him a severe blow. The students became very indignant at this, as Watson was naturally an inoffensive man, and they, through a committee, preferred charges against the officers before the Police Commissioners. The Board met Friday evening and heard the evidence, and finally resched a vote at one o'clock Saturday morning, which stood two for and two against conviction. The Mayor, who presided, refused to vote, so the charges were not sustained. and two against conviction. The Mayor, who pre-sided, refused to vote, so the charges were not sus-

## THE SLEEPY LOLLOW MURDER CASE.

In accordance with a previous announcement a Special Term of the Circuit Court and Court of Oyer and Terminer was commenced at White Plains, Westchester county, yesterday, before Jus ice Joseph F. Barnard, County Judge Robert Cochran and the Justices of Sessions, for the purpose of placing on trial a second time Isaac V. W. Buckhout, the Sieepy Hollow murderer. As was generally expected, however, the trial was not commenced, the Court stating as a reason that under the new law enacted by the Legislature last winter in regard to the formation of juries in capital cases it would be impossible to obtain a jury 45 the present instance or others of a like nature. The Court accordingly recommended that the trial of Buckhout remain over nutil the new and complicated law has been repealed or aneaded. It is understood that application will shortly be made by counsel to have the prisoner removed to an instance asymm, they having prepared themselves with sufficient medical testimony to warrant them in making the application. Sleepy Hollow murderer. As was generally

## KILL D BY BAD.

The Death of Mr. Elliett.

Coroner Schirmer yesterday concluded the inquisition in the case of Mr. Crawford Emott, who was erushed beneath car No. 29, of the Broadway Railroad, corner of Thirty-sixth street and Broadway, on the evening of the 4th test., as previously reported in the HERALD. The testimony went to show

ported in the Herald. The testmony went to show the occurrence to have been accidental, and the jury rendered a verdict to that effect.

The investigation in the case of Wm. Hulse, the child three years of age ran over and killed on Saturday last by one of the case of the Grand and Forty-second street ferry line, was concluded yesterday before Coroner Schrimer. The jury found that the occurrence was accidental, which seemed quite unsatisfactory to the relatives and friends of deceased, who were present at the inquisition.

## FATAL LAMP EXPLOSION.

Early on Tuesday evening Mrs. Jane Schott, a widow, while alone in her room at No. 358 Broome street, was most fearfully burned by her clothes taking fire from the explosion of a kerosene oil lamp. She lingered till haif-past two o'clock in the mamp. She ingered in han-past two offices in the morning, when death ensued. As Mrs, Schoit was quite alone her friends are unable to say whether or not she was in the act of filling the lamp. Deceased was forty-three years of age and a native of this city. Coroner Keenan was notified to hold an inquest over the remains.

### NAVAL INTELLIGENCE.

The Frelie's History-She is Put Out of Commission—List of Officers—What is to be Done with the Guerriere t—More Mystery. The gunboat Frolic, Commander Henry Wilson, which arrived recently from the Fishing Banks, has finally been put out of commission at Washington and her officers detached and placed on waiting

The Frolic has had hard service since she came into the navy. She was a Clyde built steamer, constructed specially for mail service on the north ceast of Irelan's where great speed was required and where stormy seas were met with. Her speed and splendid seagoing qualities, combined with great carrying capacity, made her just the vessel for blockade running purposes, and she was purchased by an agent of the State of North Carolina. Her original name, Lord Clyde, was changed into that of A. D. Vance, after the then Governor of the State, and she made a number of very successful trips between the favorite ports of blockade running, Nassau and Wilmington, carrying valuable cargoes and making pienty of money for the State of North Carolna. Finally, after many narrow escapes from capture by the blockading crutsers, she was caught and was immediately recrutsers, she was caught and was immediately refitted, armed and sent out under Commander Opanur as a blockader, and called the Advance. She did good service in her new voca tion off Wilmington, and made a number of prizes. At the close of the war she was fitted out at the Brooklyn Navy Yard as a despatch boat for the European Squadron, commanded by Rear Admiral L. M. Goldsborough, and her name again changed to the Froile. Commander Upsaur commanded her for three years, when he was relieved by Commander D. B. Harmony, who finally brought her home from European waters. Since then she has served as flagship of Port Admiral Stringham in New York, taking occasional cruties on special service. She will now probably pass out of the hands of the government and become a merchant trader again. She is a serviceable vessel for naval purposes, but is a counted rather expensive, as she relies on her steam power alone and consumes a good deal of accounted rather expensive, as she relies on her steam power alone and consumes a good deal of coal. It is probable that she will be overhauled and put in first class condition. In case of an emergency one may yet be retained as a fast despatch toat, for which purpose she is admirably adapted. The following is a list of her officers, who have been detached and placed on watting orders:

placed on waiting orders:—
Commander—Henry Wilson.
Lieutenant Commander—Frederick Pearson.
Lieutenants—Henry E. Nichols and Eugene W.

Lieuterants—Henry E. Nichois and Eugene W. Watson.

Masters—George G. Claig and Edward W. Bridge.

Ensign—Samuel Ames.

Surgen—Adolph A. Hoenling.

Paymaster—Charles W. Slamm.

Engineers—First assistant, Daniel P. McCartney;

econd assistant, John G. Brosnahan.

Mates—W. S. Baidwin, A. J. Kenney and Charles

Now that the election is over and no create.

H. Venable.

Now that the election is over and no special service can be seen for the frigate Guerriere it is possible that she will at once be desputched to one of our squarrons. The sloop-of-war Narraganset is quite large enough and powerful enough to act as guard sup of New York harbor and to look out for any of the craisers of France or Germany likely to abuse our neutrality. Yet it is rumored that both ships are to be retained here fintil spring to prevent the salling of some mysterious expedition against a neighbor with whom the United States are at peace; or it may be that they are to assist in an expedition of some sort or other, but of what nature no one seems to know. There is an immense deal of mystery about a vague and shadowy naval operation that is at present difficult to explain. All of this will be cleared up in good time, and the Herald's readers will be duly apprized of anything novel or sensational that may be developed.

sensational that may be developed.

Licutenant Commandor Mahan has been ordered to the New York Navy Yard, Assistant Surgeons Eckstein to the Guard and Wise to the Norfolk Navy

## THE NATIONAL GAMO.

New Jersey Ball Players in Coun-il. The fourth annual Convention of the New Jersey S ate Association was held yesterday afternoon at Library Hall, Elizabeth, the meeting proving to

one of the most influential gatherings of the frater-

nity of New Jersey ever held in the State. The clubs sending delegal es to the Convention in cluded the Eureka, Amateur and Active, of Newark: Champion, Bergen and Erie, of Jersey City; Trenton and Olympic, of Trenton; Oak Leaf, of New Dur-ham, and Princeton, of Princeton.

After the transaction of the usual business of the

Convention an election for officers was proceeded with, and the following delegates were duly selected to preside over the affairs of the association for the ensuing year:-President, Judge Reed, of the Trenensuing year:—President, Judge Reed, of the Trenton Club: First Vice President, C. S. Brown, of Erie Club—Fisk's new base ball organization; Second Vice President, L. K. Albro, of Resolute Club: Recording Secretary, H. W. Chadwick, of Amateur Club: Corresponding Secretary, H. C. Freese, of Clympia Club: Treasurer, G. W. Denver, of Champion Club: Delegates to National Convention, Messrs. Judge Reed, C. E. Thomas, James Gale and W. T. Hilton, The association numbers thirty-sne clubs on its list of members. After the election of officers the question of recognizing championship games was discussed, and, on motion, the resolution to draft a code of rules was laid on the table. The Convention endorsed the dead ball, and the delegates will go strong for the interests of amateur clus's in the National Convention. The President appointed the

tional Convention. The President appointed the following committees:
Rutes and Regulations—J. A. Westerveit, W. Crane, W. Hayes.
Nominations—L. K. Albro, J. U. B. Vreeland, C. Parmele.

dary-W. J. Johnson, W. J. Hilton, H. C. , W. Wills, Printing-J. Gale, C. O. Huanut, E. Dar The Convention adjourned to meet at Tr November, 1871.

The Championship of the State of New Jersey. To-da, the final match to settle the question of the New Jersey championship will take place on the Waverley fair grounds, at two P. M. The contesting clubs are the Resolut. of Elizabeth, and the Amateurs, of Newark. Great interest is manifested in the game, and should the we. ther be fair the attendance will be large.

Atlantic vs. Athletic. These clubs play at Philadelphia to-day.

# THE DEN OF INFAMY.

Investigation to Commence To-Day-Tilt Between Bir. Howe and Dr. Shine.

Coroner Foynn was not ready yesterday morning to proceed with the examination in the case of Thomas Lookup, alias Walter Powers, alias Dr. Evans, alias Mott, arias Parker, and his housekeeper, Mrs. Dickinson, of the den of intamy No. 94
Chatham street, who stand charged with causing
the death, by malpractice, of the girl Mary Geary,
Mr. Howe, counsel for the prisoners, was anxious
to proceed with the hearing and wished for no my
yellow in the matter. Finally, fater consulting with the District Atterney. It was arranged
to proceed in the patter at our occors, this morning. It is expected that assistant District Attorney
Pellows will take an active part in the prosecution
of the accused parties.

White in the Caroner's office Mr. Howe made a
charge against bir shine of the kinaling its circulor attempting to do so, which resulted an includer
util or war of words between counsel and the dector,
during which the latter indignantly cented the soft
impeachment and threatened to "mit a head on"
the joily counseller if he was not more careful in the keeper, Mrs. Dickinson, of the den of intamy No. 94

folly counsellor if he was not more careful in the

## ATTEMPTED ROBBERY A D MURDER.

A man named Wilson, who resides near the depot, on Union street, Trenton, N. J., was set upon by three men in Washington street, early on Tuesday morning, for the purpose of robberg. The wounds ter. His throat is also considerably scarred where the men tried to choke him. In the desperation to which he was driven Wilson struck out with all his power, and was fortunate enough to knock one of his assaliants down. Then, bleeding one of his assailants down. Then, bleeding and scarred, he cried "Police!" and "Murder!" which atarmed the residents on Front, Warren and Washington streets, and the villains decamped. The police were busy yesterday looking after the rascais. Wilson had been meduging rather freely in whiskey, and at the Exchange Hotel saw one of the three men, who asked him to treat. Wilson assented, and the stranger then introduced the other two, saying they were his friends, and asked that they should also be treated. When Wilson went on his way homeward the men followed him and set upon him. His wounds were attended to at the police office, and his money (twenty dollars), which the scoundrels had seen when Wilson was paying at the hotel for drink, was safe and was left in the hands of the Assistant Marshall. William Tennell was arrosted yesterday on the charge and turned State's evidence against the other two.

# KILLED ON THE ERIE DAILWAY.

An old man named Thomas Flanagan, residing at the corner of North First and Eric streets, Jersey City, was crossing the track of the Erie Railway, not far from his residence, at two o'clock yesterday afternoon, when he was struck by a train which was backing down and run over. The unfortunate man was horriby mangled and death must have been instantaneous. Coroner Burns will hold an inquest.

Pro Polopida a sa distribution

### THE COURTS.

Condemnation of Distilled Spirits and Oils-Important Admiralty Decision-Infractions of the New Election Laws-The Case of Justice Cox and Others-Sacramento Valley Railroad Suit-The Hennessy Bribery Case-Action for Damages Against the Owners of an Emigrant Ship.

### UNITED STATES SUPREME COURT.

WASHINGTON, Nov. 8, 1870. No. 213. The Washington, Alexandria and George town Railroad Company, Appellants, vs. The Mayor, &c., of the City of Washington and Joseph H. and A. G. Bradley.—The appellants, in September, 1863, filed their bill in the Supreme Court of the District filed their bill in the Supreme Court of the District of Columbia (from which this appeal comes) praying an injunction to restrain the Bradieys from selling the Alexandria and Washington Railroad under a deed of trust executed to their by that railroad company to secure the payment of certain certificates of indebtedness to the amount of \$60,000, issued by the company and guaranteed by the city of Washington, and to have the trust deed declared null and void and cancelled. They allege that the railroad company, as then organized, purchased at public sale, under a junior deed of trust made by the Alexandria and Washington Railroad Company, the franchises and property of the last named to the franchises and property of the last named company, according to the statutes of the State of Virginia, and under the original charter to that company granted in 1854 by that State, and they dented the validity of the trust deed to the Bradleys. A temporary injunction was granted. The trial was decided in favor of the defendants, and this appeal was taken and now arrued, the appellants insisting, among other things, that the deed of trust to the Bradleys was void, because the corporation of Washington had no power to guarantee the bonds; that the injunction should not have been dissolved, because no motion was made for that purpose, nor was there any one in a position to make such a motion.

R. J. Brent for appellants; Bradley and Davidge for appellee. of Columbia (from which this appeal comes) prav-

### UNITED STATES DISTRICT COURT.

Judge Woodruff Not in Town. This court room was crowded yesterday morning by members of the bar who were in expectation that Judge Woodruff would be in attendance to proceed with the business of the court on the civil

At eleven o'clock Mr. R. E. Stilwell, deputy clerk of the court, entered and stated that he had just learned from Judge Biatchford that Judge Woodruff was away in Connecticut holding a court, and would not be in Chambers street until Monday next, consequently no calender would be called till then. He wished that statement made public for the convenience of the bar.

Condemnation of Distilled Spirits. Before Judge Blatchford and a Special Jury.
The United States vs. Nineteen Packages of Wines, Seven Rectifying Tubs and a Quantity of Spirits and other Property found at No. 10 C dar street.— This was a suit by the government for the con-This was a suit by the government for the condemnation of the property found at the place in question, on the ground that the tax on the spirits seized had not been paid. The property belunged to the New York Reclifying Company, and in their answer they stated that the goods did not become forfeled for any reason alleged in the government information. This case was tried on Monday, and at the rising of the Court the jury had not agreed to a verdict. Judge Blatchford directed them, if they should agree, to hand in a scaled verdict on Wednesday. Yesterday morning the jury, with the exception of one of them, Mr. Alken, who had been excused from attendance, handed in a verdict in favor of the government, condemning fifty four packages of distilled spirits and nineteen packages of wine, and in favor of the claimants releasing the rest of the property setzed. Counsel for the government, Mr. T. Symons, United States Assistant District Autorney.

Condemnation of Oils of Bay and Cloves.

Condemnation of Oils of Bay and Cloves. The United States vs. Fourteen Bottles Off of Bay and Fifty-seven Battles Oil of Cloves. The same vs. Nine Cases Oil of Bay and Two Cases Oil of Cloves. These causes being called on the calendar in their

These causes being called on the calendar in their order, the Court ordered a trial.

The claimants' counsel announced to the Court yestorday that they would withdraw the claim and answer filed, and consent to a decree for the government condemning the goods, which belonged to a Mr. James S. Aspinwall, who had stated in his answer that he had bought the goods in good faith, believing that the duty had been paid on them.

No other case being ready for trial, the court adjourned until to-day.

Important frecision in Admiralty.

August Niel and Others as the Ship beth her.

August Noet and Others vs. the Ship Dehl, he tackle on -Indee Blatchford rendered a decision in this case yesterday morning, which was a libel to recover \$1.825 20 as the value of ten sheets of plate glass, brought by the ship from Antwerp to New York under a bill of laning, which described the contents of the cases in which the glass was contained as "glass es," and providing that the ship should not be accountable for the breakage. The libellants were consignees of the cases. When they were opened at New York it was found that ten of the sheets were so broken as to be atterly worthess. It was calained by the libellants that the damage resulted from the piling of the cases flatwise. The Jusige held that the libellants failed to show that the damage to the glass was occasioned by the piling of the cases in that manner, or by any other negligence on the part of the vessel, and dismissed the libel with costs. to recover \$1,825 20 as the value of ten sheets of

#### UNITED STATES COMMISSIONERS' COURT. An Attempt to Vote Illegally for Ledwith.

Before Commissioner Davenport. The United States vs. Michael Cunningham .- The defendant was arrested yesterday morning on a warrant charg ng bim with attempting to get a man to vote for Thomas A. Ledwith who had only been a
few hours in the country. From the evidence
it was ascertained that Cunningham was
a resident at 113 Mott street, and that
on Monday evening last a young "greenhorn" named Patrick Reddan, arrived in the
ship Albert Cross, from Ireland, and came to the
house in which defendant lived, to a brother who
also resided there. On Tuesday morning Cunningham took Reddan out, promising to show him over
the city, but instead of doing this he took Pat to the
Second election district of the Fourteenth ward and
procuring a ticket gave it to him and told him to go
into the poling place and vote. Defendant pleaded
drinkenness in defence, but he was held in default
of \$10,000 bail for examination to-morrow.

Impersonning for a Vote. to vote for Thomas A. Ledwith who had only been a

Impersonating for a Vote. United States vs. Patrick Griffin.-The defendant was also brought up charged with having personated Mr. Thomas Burns, of 102 Cedar street, and for registering himself as a voter by that name in the Eleventh election district of the Sixth ward on the 18th of October last; and also with attempting to vote by that name on Tuesday last. The defendant centered into a lengthy defence, but was held to await the action of the Grand Jury.

## A Fraudolest Baskrupt.

Believe commissioner Shields. Unived Sales vs. Augustus W. Marsh.—The defendant, late of the firm of Lockwood & Marsh, was arrested on a bench warrant by Deputy Marwas arrested on a bench warrant by Depuly Mar-shal Robinson, charged with having fraudulently appropriated to his own private use twenty-five bar-rets of crincline wire with the intention of defraud-ing his creditors, he being at the time a bankrupt and his ambirs is the hands of the court. He was held in default of \$19,930 for examination.

Accomplices of Justice Cox's cleaspiracy
Against the Election Laws.

Before Commusioner Osborn. United States vs. Captain William McCleary and Patrolman Hermann Carl.—These defendants were vesterday arrested and brought up on the charge that they, as accomplices of Police Justice John Cox, did, on the 20th of October last, "wilfully, knowingly by loce to limiter and delay are expectation of the United States election laws." The defendants are both police officers of the Election recenct, and the Carrie eigenst them is supposed to have originated in their refusal to cesist in taking some parties pointed out to them by the election supervisors on the day named, but the full particulars could not be obtained yesteriay. They were both released on \$10,000 call to appear before the Grand Jury whenever called noon. ver called upon.

# SUPPLEME COURT-BENERAL TERM.

The Old Sacramento Valley Railroad Suit about Railrond Iron.
Eefore Judges Ingraham, Cardozo and Barnard.

Lester L. Robinson et al. vs. Edward P. Flint. This belongs to the order of interminable cases before our courts, and has so often been brought up counter-demorrer and renewed trials, that the facts are too well known to need extended recapitulation. The action arises out of a contract alleged to have been made in 1884 by the Sacramento Railway Com-pany of California, with certain parties in Boston, for the delivery of 2,000 tons of railroad from of certain quality and pattern, to be shipped from Wales. The plaintin's caim that the from contracted for was imported, but sold and delivered contracted for was imported, but sold and delivered to other parties, and that the ron sent to the plaintins was other iron, subsequently purchased and of an inferior quality. The suit is upon two separate claims or causes of action, both arising out of the same general transaction. The defence made a general denial both of failure in failling the contract and alleged fraud. The case was argued at great length by David Dudley Field for the plaintiffs and Charles O'Conor for the defendant. Of course, the speeches were as learned and brilliant as speeches can possibly be upon railroad fron and

contracts, but not of sufficient interest to print. On opening, however, Mr. Field was humorously sarcastic upon the virtue and innocence of Boston as shown in having the case tried here instead of in that great centre of civilization. The people of Boston berated our judges, and yet they preferred that their suits at law be tried before them. Mr. O'Conor was pleasingly sarcastic in his own way in response but for a moment, and then launched into the most serious argument, and certainly for clear statement of facts, for plain logical deduction and for exhaustive legal learning, bearing on the dry subject with which he had to deal—one of his best efforts at the bar. At the conclusion of Mr. O'Conor's speech, lasting over an hour, the courtandjourned. Mr. Field will respond to-morrow morning.

The Hennessey Bribery Case. John R. Hennessey vs. Board of Education.— Shortly after the plaintin's dismissal from the Board of Education by the members of the latter Board, on his having been found guilty of accepting a bribe his having been found guilty of accepting a bribe from a female school teacher, he applied, as will be remembered, to Judge Brady for a writ of mandamus upon the Board for his reinstatement. This application was denied by the Judge on the ground that the Board nad full power in the premises. The piaintist appealed from this decision to the deneral Term, and thus the case came up in a revised form. There was a lengthy argument by opposing counsel, not, however, going into the merits of the case, but simply upon questions of law. The Court reserved its decision.

SUPREME COURT-CHAMBERS. Becisions. Before Judge Brady.

John W. C. Gray vs. Theodore W. Freese .- Motion granted. Archer vs. Radford et al.—Reference ordered.

Barnard vs. Scott .- Motion granted for second

Friday.

Engle vs. Duffy.—Motion granted.
Root it al. vs. Hansell et al.—Motion granted.
Globs et al. vs. Baggett et al.—Motion granted.
Goodwin et al. vs. Baggett et al.—Motion granted.
Goodwin et al. vs. Baggett et al.—Motion granted.
Furker et al. vs. Dagan.—Motion granted; five
per cent allowance.
Atlantic Steam Engine Company vs. Oppenhetmer
et al.—Motion granted; stay until third Friday.
Frost vs. Goldsmith.—Motion granted and reference ordered.

ence ordered.

English vs. Holmes.—Allowance five per cent.

#### SUPREME COURT-CIRCUIT-PART I. Claim of Damages Against Builders.

Mary Donohue vs. Moore & Bryant.—This is an instance of the law's delays. In July, 1867, the plain tiff, in walking on a temporary bridge on the vated sidewalk in front of Nos. 51 and 53 Second vated sidewalk in front of Nos. of and as Second street, where the defendants were putting up two buildings, stepped on a loose plank or in some way fell on the rocks below. She claims \$5,000 damages. The testimony showed that she was laid up four weeks on account of her injuries. The defence was that the bridge was properly constructed, and that the accident was the result of the plaintiff's own negligence. The case is not yet concluded.

### SUPERIOR COURT-CIRCUIT-PART 2-

Action for Damages Against the City.

Before Judge Jones. Edward Healy vs. The Mayor et al .- The plain tiff, on the evening of August 2, 1869, in passing through Forty-third street, between Tenth and Eleventh avenues, fell into an excavation in the side walk, sustaining injuries producing, as alleged, par-tial paralysis and utter inability to labor. He tial paraiysis and utter intollity to labor. He brought this action against the city and some builders, claiming \$5,000 damages. A good deal of testimony was taken. For the defence an effort was made to snow that the plaintiff was intoxicated at the time of the accident, and that it would not have occurred otherwise. The case is still on.

### COURT OF COMMON PLEAS-SPECIAL TERM. The James Foster, Jr., Outrages.

Before Judge Larremore.

The large number of cases brought by parties who were passengers on the in-starred emigrant ship James Foster, Jr., the particulars of which were pubhshed in full in the HERALD some time since, and which created a considerable sensation, are again before the court. The suits were brought by the sufferers against the owners of the vessel for the indures sustained, and have been pending for a year or more. A motion is now made to have the executors of some of the defendants, deceased, substituted on the record. Judge Larremore took the papers and reserved his decision.

Decisions.

By Judge Larremore,

Sinderlin vs. Seiden.—Injunction granted.
Fowell vs. Smith.—Injunction granted.
By Judge Robinson.

Klefer vs. Thomas.—Motion of plaintiff denied,
with ten dollars costs. That of the purchaser granted
awarding payment to him of the money in the hands
of the receiver.

Struthers vs. Chrystal.—Motion denied.

#### A PUGILIST DRAWING RLOOD. Joe Coburn's Wife Accidentally Shot-Arrest and Honorable Discharge of the Hon. Joseph.

Joe Coburn, the pugilist, has again brought himself into notice, not, however, by the pursuit of his regular vocation, but in a style hardly included in the rules of the ring. It appears that Coburn and his wife resided at Swift's hotel, corner of Eighth street and Broadway. Shortly before daybreak yesterday morning, as officer Quinn, of the Fifteenth precinct, was on duty in the vicinity of the hotel, he found a wo-man staggering along and bleeding. On being ques-tioned she stated that she had been shot in the back conveyed to the Fifteenth precinct, where the oall was extracted from the shoulder by Police Surgeon Freligh, who found it about eight inches below the piace where it had entered. Coburn was soon after arrested and held until about eight o'clock when he was taken to the Central Office for the purpose of identification, and, subsequently to Jefferson Market Police Court. On being arraigned before Judge Fowler the prisoner stated that the shooting was purely accidental; that he came home about three o'clock in the morning somewhat muddled, and that throwing his coat carelessly on a chair the revolver, which was in an inside pocket, exploded, the ball entering his wife's shoulder. The prisoner stated that his wife did not wish to prosecute, which being afterwards ascertained to be a fact the Justice ordered his discharge. Mr. Coburn says he was undressing, and that the pistol, falling from his pocket, was accidentally discharged. The wound inflicted on Mrs. Coburn did not prove as serious as at first supposed, and in the course of the day she was able to walk about. Coburn denies that there was any previous quarrel between him and his wife, or that they had not lived amicably together.

# "BOUND TO THE WHEEL."

TO THE EDITOR OF THE HERALD:-

As a matter of justice we ask you to give the following corrected statement of a report with the above heading published in your paper of the sta inst., by which, in consequence of errors therein contained, injury may result, through a misapprebension of fact, to a respectable firm:—The girl Elizabeth Gramreiler did not have the silk concealed in her pocket, but in her bosom; it was not of the supposed value of twenty-five or fifty cents, but of supposed value of twenty-five or fifty cents, but of the positive value of three dollars; it was not snarled, but in the original hanks, just as she had received them for spooling; she was not scarched by Mr. Sacks, Jr., before she left the house, but was called in the office and charged with the theit, at which she produced some silk, and on being told that she was seen to take a certain color and conceal it in ner bosom she reluctantly produced that also. As regards Mr. John H. Farsons, we can positively assure you that the first thing we knew about any legal demand for wages or threatened suit for damages was on reading it in the Herald, and the only conclusion we can come to is that he thought this sensation article a cheap way of advertising his business. Respectfully yours.

## A MI-SING STEAMER.

The Sylvan Shore Disappears Off the Florida Const in a Gale.

Coast in a Gale.

[From the Savannah Republican, Nov. 6.]

Some days ago Captain Tucker, who is well known in this city as having been in command of the steamer Sylvan Shore shortly after the war, and an experienced seaman, left Fernandina, Fia., with a steamer which he had recently purchased at the North for Tampa, for the purpose of carrying the malls between that place and Manatee, Smyrma and other landings along the Guif coast. After proceeding as far as Musquito Inlet the engineer in charge of the steamer made an examination of the machinery and vessel, and pronouncing her unseaworthy refused to proceed further with her. We also learn that the engineer who brought the vessel out from New York refused to go to sea in her and also pronounced her unseaworthy. The engineer was put ashore at the inlet, when the steamer put out to sea. The keeper of the lighthouse saw the vessel outside and at anchor that evening, and she appeared to be dragging anchor and the water breaking over her, since which time nothing has been seen or heard of the steamer. Resides the crew, Captain Tucker, his wife and daughters, and Mr. John Clay and Miss Griswold, of Fernandina, were on board. As there was a terrific gale prevailing at toe time (the one that caused so much damage to shipping on the coast, and as there has been plenty of time for the steamer to make some port, it is feared that she has gone down with all on board. There is great anxiety felt in Fernandina for the safety of these on board of 'the missing vessel. We sincerely hope that some tidings may be heard of her safe arrival, but if the report of her unseaworthiness is correct we fear that she has met the fate of the Varuna and other vessels on that coast.

## PROSPECT PARK FAIR GROUNDS.

Trotting Match Be ween George Palmer and American Girl to Wagons-Three Heats and a Postponement Until To-Day.

A trotting match for \$1,000, mile heats, best three in five, to wagons, between Mr. Corning's brown gelding George Palmer and Mr. Lovell's bay mare American Girl, was begun yesterday afternoon, at the Prospect Park Fair Grounds; but after three heats had been trotted the track became so obscured by dark clouds and pelting that the judges postponed the until this afternoon at three o'clock. George Paimer and won two heats and American Giri one heat when operations were brought to a close. The race was started at too late an hour—three o'clock—to complete it in case the heats were split, and, as that contingency happened, the race had to be postponed. No race can be begun at this season of the year later than two o'clock with any certainty of completton, and we hope the races will be so arranged

in future that postponements will be avoided.

The attendance was not very large, but the balonies of the club house presented a fine picture of female beauty. Among the gentlemen present we noticed the following prominent turfinen:—Dr. Weldon, R. Fletcher, W. H. Parks, Simeon Hoagland, William Hynard, J. Weaver, George Gordon, Mr. Littell, Mr. Alwine, Felix Campbell, Josiah Smith, George Perrin, Mr. Deforest, Mr. Hunt, D. Gould, William Barry, Mr. Brown, Nath. Weeks, R. Robinson, G. H. Strang, Mr. Payson, Mr. Lawrence, Mr. Woodward, Mr. Field, Dr. Riley, J. G. Mead, Mr. Blakeley, Mr. Van Brunt, Mr. Thorne, D. L. Pettee, R. Tuttle, R. Furey, Hugh McLaughlin, S. Truesdell,

R. Tuttle, R. Furey, Hugh McLaughlin, S. Truesdetl, R. C. Layton, G. Mumby and a number of others, who were there in anucapation of witnessing another close and protracted race between these two so well matched first class trotters.

Before the race began American Girl was the favorite, in many instances, at two to one; but when the horses began scoring the betting became more even, and at the start George Palmer was seiling for nearly as much as the mare. He won the first heat, and became a favorite at short odds; but when he had won the second heat he sold the favorite at four to one. American Girl won the third heat, and this brought the bettling nearly level again. A terrific storm then set in and the race was postponed. There is a large amount of money pending on the result, and should the rain cease before sunrise this morning the track will be in a fair condition for the race, as the soil of this track dries quicker than any other in the country.

as the soil of this track dries quicker than any other in the country.

The judges, in postponing the trot, stated that "This race is postponed until three o'clock to-morrow alterneon; good day and good track." They have nothing to do with good day or good track, as a race, when once begun, must be concluded, without regard to weather. The rule governing this case reads:—"No heat shall be trotted when it is so dark that the horses cannot be plainly seen by the judges from the stand, but all such races shall be continued by the judges to the next day, omitting sunday, at such hour as they may designate." Therefore the trot must be finished this afterneon unless otherwise especially agreed upon between the owners of the horses and the association.

The following are the details of the race, as far as it progressed:—

Rain had failen between the second and third heats, and the track had become somewhat neavy. The storm increased in violence, and it grew dark so suddenly that the judges agreed to postpone the race until three o'clock this afternoon. Then began a stampede through the pelting rain that beggars description. Those who were out in light wagons without tops were shockingly drenched, while those in covered vehicles did not altogether escape a wetting, as the wind seemed to blow from all quarters, and it appeared to rain up as well as down. It was a dismail drive to the city.

## STE-MIRER IN NEWACK

An Assemblyman Hangs Himself During Temporary Insanity.

Newark, N. J., was startled yeste day with a

shocking case of felo de se, the victim of his own rash act being no less a personage than Mr. William R. Sayre, a highly respected citizen and a member of the existing New Jersey Legislature. It seems Mr. Sayre has for some time past been subject to what is termed seftening of the brain, and has repeatedly shown signs of great mental depression. Yesterday about half-past eleven o'clock his family in the dining room idence, No. 51 Fulton street, for the purpose of according an interview to a gentleman named Rac. This concluded, he started, as his wife thought, to go out; but a short time after she was im-pressed with a singularly strange pressings on secthought, to go out; but a short time after she was impressed with a singularly strange uneasiness on secling that his hat and coat were on the hall rack. A search was instituted and young Sayre found his father quite dead in a room on the top floor. He had strangulated himself by hanging in a sitting position, the same as did the late Mr. Uttex some months ago. The body was still warm and a galvanic battery was triel, but without success. Decased was a man of about fifty-five years, a notive of New York, an elder in the Presbyterian church, a Sunday school superintendent for twenty-five years and a man of large means. He leaves a wife and three grown up children.

## MARRIAGES AND DEATHS.

Married.

Married.

CREIGETON—PROKWELL.—On Taesday, November 8, at the residence of the bride's mother, by Rev. Charies Homer, Frederick C. Creighton to Elizabeth B., daughter of the late Henry W. Peckwell, all of Brooklyn. No cards.

SHAW—BOWDEN.—On Wednesday, November 9, at the residence of the bride's parents, by Rev. D. Gregg, David Shaw to Aggie, only Gaughter of Robert Bowden, of this city. No cards.

SLYTIR—BRYAN.—In Spotswood, N. J., on Tuesday, November 8, by the Right Rev. Bishop Odenheimer, of New Jersey, at the residence of the bride's son-in-law, Remsen Appiely, Esq. Benyamin F. Sluyter to Mfs. Lydia A. Bryan, both of Bohemia Manor, Ceell county, Md.

VOEGE—KORNAHRENS.—On Thursday, November 3, at the residence of the bride's parents, by the Rev. H. Hennicke, Edward Voege to Annie, daughter of Herman Kornahrens, Esq., all of Brooklyn, E. D.

WALLACK—STOCK.—On Wednesday, November 9, at the residence of Mrs. M. E. Merwin, by the Rev. L. H. Smith, George Wallack, of New York, to Miss Carrie Brooks, of New Haven, Conn.

New Haven papers please copy.

Whithor Desidence of Lewis R. Davis, Esq., all of New York city.

Whishom—Richt.—At the Madison avenue Badist church, on Wednesday, November 9, by the Rev. U. Henry Miller, D. D., Wallson Wilson to Jane Rich, daughter of Robert Rich.

Died. Gregg, David Shaw to Aggir, only Gaughter of Robert Bowden, of this city. No cards.

SLUYTR—BRYAN.—In Spotswood, N. J., on Tuesday, November 8, by the Right Rev. Bishop Odenheimer, of New Jersey, at the residence of the bride's son-in-law, Remsen Applieby, Esq., Benjamin, F. Sluyter to Mfs. Lydia A. Bryan, both of Bohemia Manor, Cecil county, Md.
Vorce—Konnahrens.—On Thursday, November 8, at the residence of the bride's parents, by the Rev. H. Hennicke, Edward New York, at the residence of Mfs. M. E. Merwin, by the Rev. At the residence of Mfs. M. E. Merwin, by the Rev. L. H. Smith, George Wallack, of New York, to Miss Carrie Stock, of New Haven, conn.

New Haven papers please copy.

Whilloughby street, this (Thursday) afternoon, at half-past three o'clock.

Tappan, of this city.

Thomas.—Suddenly, on Monday evening, November 9, it is relative and friends of the ismity afternoon, at half-past three o'clock. Tappan, of this city.

Thomas.—Suddenly, on Monday evening, November 9, it is relative and friends of the ismity afternoon, at half-past three o'clock. The first and the first and the functal, rich and the functal, rich and the functal, rich and the functal the first and the functal function in the state o'clock. The relatives and friends of the sidence, No. 32 Willoughby street, this (Thursday) afternoon, at the colonk, November 2, India Manuel Colonk, India Missing and friends of the sidence, No. 32 Willoughby street, this (Thursday) afternoon, at the colonk, Fabruary and friends of the sidence, No. 32 Willoughby street, this (Thursday) afternoon, at the functal function, and friends are invited to attend the functal function, at the colonk, from the fact.

Thomas.—Suddenly, on Trapan, of this city.

Thomas.—Suddenly, on Monday evening, November 6, India Missing and friends of Clarkes and Laura 15, Farberick, youngest son of Charles and Laura 16, Farberick, youngest son of Charles and Laura 17, 17 Missing and friends of Clarkes.

Thomas.—Suddenly, on Monday evening the function of this city.

The relatives

Wreaks, No. 181 South Fifth street, Jersey Chip, this (Thursday) afternoon, at two o'clock. His friends are respectfully invited to attend without further notice.

BREWEN.—In the town of Hyde Park, Dutchess County, N. V.

county, N. Y., on Tuesday, November 8, Timothy Brecken, a native of Kings county, Ireland, aged

62 years,
Omaha papers please copy,
Casey,—On Wednesday, N vember 9, Patrick
Casey, a native of Queens county, Ireland, aged 64

Omaha papers please copy.

CASEY.—On Wednesday, N vember 9, Patrict CASEY, a native of Queens county, Ireland, aged 54 years.

The funeral will take place on Friday, November 11, from his late residence, No. 237 West Thirty-seventh street, to the Church of the Holy locents, in Thirty-seventh street, near Broadway, where a solemn requiem mass will be offered for the report of his soul, at ten o'clock in the morning, thence to Caivary Cemetery. The relatives and friends of the family are respectfully invited to attend.

CLAPP.—On Tuesday, November 8, MARY EMMA, only daughter of Benjamin and Sarah A. Chipp, in the 18th year of her age.

Relatives and friends of the family are respectfully invited to attend the funeral services, at the residence of her parents, No. 62 Third street, this (Thursday) evening, at half-past seven o'clock. The remains will be taken to Woodlawn Cemetery on Friday morning.

CLIFFORD.—At No. 656 Eighth avenue, Patrick CLIFFORD,—At No. 656 Eighth avenue, Patrick CLIFFORD, in the 61st year of his age.

Notice of funeral in to-morrow's paper.

Cosyello.—Suddenly, on Tuesday, November 8, Michael Cosyello, a native of county Limerick, Ireland, aged 65 years.

The relatives and friends are respectfully invited to attend the funeral, from his late residence, 32 West Forty-fourth street, this (Thursday) afternoon, at one o'clock.

Dansiger.—Suddenly, on Tuesday, November 8, Mullis A. Dansiger, of North Carolina, at 243 West Fifty-fifth street.

Notice of time of funeral will be given in Friday morning's papers.

Davis.—On Wednesday, November 9, Eliza Mo-Captrery, wife of Robert B. Davis.

Relatives and friends of the family are invited to attend the funeral, this (Friday) morning, at half-past ten o'clock, from Forty-third street Methodist Episcopal church.

Donovan.—On Teesday, November 8, Dennis J. Donovan, aged 38 years.

The friends of the family, the members of the St. Patrick's P. M. A. B. Assoc atton and the members of the Thomas Coman Association are requested to meet at their rooms this Th

65 years.

The funeral will take place from his late residence, corner Luqueer and Hicks streets, Brooklyn, on Friday afternoon, at two o'clock.

Gunn.—On Tuesday, November 8, Sarau Gunn, The relatives and friends are invited to attend the funeral, from her late residence, 177 Freeman street, Greenpoint, this (Thursday) afternoon, at two o'clock.

o'clock.

HADDON.—On Tuesday, November S, MARY, wife of William Haddon.

Relatives and friends of the family are respectfully invited to attend the funeral, from the Methodist Episcopal church, corner Flay-second street and Lexington avenue, on Friday monains as eleven o'clock.

o'clock.

Holling. On Wednesday, November 9, at her residence, 127 White street, Mrs. Jane Holden, aged 60 years.

Notice of funeral to-morrow.

Kenny.—On Wednesday, November 9, Mary Agnes Kenny, eldest daugnter of J. A. and M. Akenny, aged 4 years, 5 months and 10 days.

The relatives and friends of the family are respectfully invited to attend the funeral, from her late residence, Franklin street, corner of Oak street, Greenpoint, L. I., this (Thursday) afternoon, at two o'clock.

Kidd.—On Wednesday, November 9, John B.

Kiddle And States and friends of the family are respectfully invited to attend the funeral, on Friday afternoon, at one o'clock, from his late residence, No. 150 Centre street.

Larkin, John Larkin, son of Michael and Ellen Larkin, aired I year, 5 months and 2 days.

The friends of the family are invited to attend the funeral, from No. 3 Scammel street, this (Thursday) afternoon, at one o'clock.

MEYSTEE. —On Wednesday morning, November 3, at two o'clock, Daniel Meystree, aged 40 years and 6 months.

The relatives and friends of the family are respect-

6 months.

The relatives and friends of the family are respectfully invited to attend the funeral, from his late residence, No. 39 Second street, Hoboken, on Friday afternoon, at two o'clock.

Minne—On Tuesday, November 8, ELENOR A. wife of Marshall A. Minne, aged 29 years, 5 months and 17 days.

The relatives and friends of the family, also the members of Sylvan Grove Lodge, F. and A. M.

members of Sylvan Grove Lodge, F. and A. M.; Corinthian Chapter, R. A. M., and Morton Com-mandery, K. T., are Invited to attend the funeral, from 59 North Moore street, this (Thursday) after-

from 59 North Moore street, this (Thursday) afternoon, at one o'clock.

Moore,—On Wednesday, November 9, at halfpast one o'clock A. M., Mary Ann, daughter of Mary Ann and the late Thomas Moore, in the 28th year of her age.

Relatives and friends are invited to attend the funeral, this (Thurday) afternoon, at one o'clock, from her late residence, 954 Seventh street.

San Francisco (Cal.) papers please copy.

MURDOUB.—On Tuesday, November 8, GEORGE WHITE, son of John D. and Jane Murdoch, aged 9 years, 10 months and 11 days.

white, son of John D. and Jane Shirdoch, aged y years, 10 months and 11 days.

The relatives and friends of the family, also the members of Polar Star Lodge, No. 245, F. and A. M., are respectfully invited to attend the funeral, from the residence of his parents, 710 East Ninth street, this (Thursday) afternoon, at one o'clock.

NEALIS.—There will be a month's mind for the repose of the soul of the late William Nealis, in the Church of the Fransfiguration, Mott street, at halfpast nine o'clock A. M., on Thursday, November 10.

The friends of the family are respectfully invited to attend.

The relatives and friends of the family are respectfully requested to attend.

PRIERSON.—On Wednesday, November 9, MARY TERESA, youngest daughter of Christopher and Catherine Peterson, aged 11 months and 8 days.

The relatives and friends of the family are respectfully requested to attend the funeral, this (Thursday) afternoon, at two o'clock, from her late residence, 78 James street. afternoon, at two o'clock, from her late residence, 78 James street. REID.—At Mobile, Ala., on Thursday, October 13,

REID.—At Mobile, Ala., on Thursday, October 13, of pneumonia, David P. Reid, son of the late James Reid, of this city, in the 4th year of his age.

ROBERTSON.—On Wednesday, November 9, Eduzater Robertson, wife of Alexander Robertson, in the 53d year of her age.

The friends of the family are respectfully invited attend the funeral, from her late residence is Charlon street, on Friday afternoon, at half-past one o'clock.

Dumfries (Scotland) papers please copy.
ROURKE.—On Tuesday, November 8, Mrs. Bessy,
wife of Hugh Rourke, native of the county Cavan, The relatives and friends of the family are respect-

The reintives and triestof the funeral, from her late residence, 98 (new No.) North Third street, between Second and Third streets, Williamsburg, this (Thursday) afternoon, at one o'clock, to Flatbush Cemetery.

Rynes.—Suddenly, on Tuesday, November 8, in the 53d year of her age, Mrs. Marion Rynes, of Ayrshire, Scotland.

The friends of the family are respectfully invited to attend the funeral, from the residence of her brother-in-law, James Smith, 234 Grand street, Williamsburg, this (Thursday) talternoon, at half past one o'clock.

liamsburg, this (Thursday) afternoon, at half past one o'clock.
SCHOTT.—Suddenly, on Wednesday, November 9, Mrs, JAMES L. SCHOTT, widow of James L. Schott.
The friends and relatives are invited to attend the funeral, on Friday afternoon, at one o'clock, from her late residence, 363 Broome street.
SCULLY.—On Wednesday, November 9, JOHS, son of the late Denis Scully.
The relatives and friends of the family are respectfully invited to attend the funeral, from the residence of his brother-in-law. Bernard McGuire, 37 Montgomery street, on Friday atternoon, at one o'clock.

Montgomery street, on Friday a ternoon, at one o'clock.
SIMPKINS.—In Brooklyn, on Sunday, November 6, John Simpkins, in the 40th year of his age.
The inneral services at his late residence, 155 Lafayette avenue, corner of Carlton, this (Thursday), at tweive o'clock noon.
SLIMMON.—On Tuesday morning, November 7, suddenly, of apoplexy, at the New York Hotel, Robert Slimmon, in the 51st year of his age.
His friends are respectfully invited to attend the funeral, from the Fourth Presbyterian church (Rev. Dr. John Thompson's), Thirty-fourth street, west of Sixth avenue, this (Thursday) morning, at half-past ten o'clock.
SMITH—in Brooklyn, on Wednesday, November

ten o'clock.
SMITH—In Brooklyn, on Wednesday, November
9, Invine 5MITH, aged 59 years.
The relatives and friends of the family are invited
to attend the funeral, from his late residence, No. 32
Willoughby streat, this (Thursday) afternoon, at haif-